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FISCAL IMPACT REPORT

SPONSOR Grubestic DATE TYPED 02/21/05 HB

SHORT TITLE Require Child Car Booster Seats SB 586/aSPAC

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates
SB 522

SOURCES OF INFORMATION

LFC Files

Responses Received From

Health Policy Commission (HPC)
Department of Public Safety (DPS)
Department of Transportation (DOT)

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment deletes the provision that exempts passenger vans operated by CYFD-licensed child-care operators from child-restraint requirements.

Synopsis of Original Bill

Senate Bill 586 requires children ages 5 through 6 or weighing less than 60 pounds to be secured in either a child booster seat or an appropriate child passenger restraint device that meets federal standards. The bill provides that a child is properly secured in an adult seat belt when the lap belt properly fits across the child's thighs and hips, not the abdomen, and the shoulder strap crosses the center of the chest, not the neck, allowing the child to sit all the way back against the

vehicle seat with knees bent over the seat edge.

The bill excludes passenger vans operated by licensed child daycare centers from the new requirement for booster seats and the existing requirement that children ages 7 through 12 be properly secured in a child passenger restraint device or by a seat belt.

PERFORMANCE IMPLICATIONS

DOT has performance measures related to reducing injuries and fatalities related to crashes. Since child booster seats provide increased protection during crashes, this bill will likely help DOT improve on its performance measures.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill duplicates Senate Bill 522

TECHNICAL ISSUES

HPC raises the following technical issues:

- It is unclear whether or not “seat belt” and “adult seat belt” are interchangeable terms in SB586.
- The language of Paragraph 3 (in Subsection B) conflicts with the language of Paragraph 2 (in Subsection B). Paragraph 2 specifies requirements for children weighing less than 40 pounds while Paragraph 3 specifies requirements for children weighing less than 60 pounds. Thus, it is unclear which requirement applies if a child weighs under 40 pounds.

OTHER SUBSTANTIVE ISSUES

According to the Children, Youth and Families Department, the leading cause of injury and fatality to children up to 12 years of age is motor vehicle accidents. Proper use of child passenger restraints reduces injury and death by as much as 70 percent.

The Department of Health notes that many children are riding incorrectly, secured only by an adult seat belt. The target population for this bill is children who are too large for child car seats yet too small for adult seat belts, which includes 95% of children between the ages of 5 and 9 and 5% of children ages 10 through 12.

EF/lg